

COPY

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

The City of Galena, Jo Daviess County,
Illinois, a municipal corporation,

Petitioner,

vs.

Chicago, Central & Pacific Railroad
Company and The Burlington Northern
and Santa Fe Railway Company,

Respondents.

Petition for approval of the acquisition
of real estate in Jo Daviess County by
exercising the power of eminent domain.

T02-0064

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Illinois Commerce Commission
RAIL SAFETY SECTION

JOINT MOTION FOR CONTINUANCE

NOW COMES Petitioner, CITY OF GALENA, and Respondents, CHICAGO, CENTRAL & PACIFIC RAILROAD COMPANY and BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY, by and through their attorneys, and in support of their Joint Motion for a Continuance, states as follows:

1. The above-entitled matter is currently scheduled before the Honorable June B. Tate, Administrative Law Judge, on January 22, 2003 at 10:00 a.m.
2. Since the filing of all pleadings, substantive negotiations have been taking place related to all pending matters.
3. The City of Galena has signed a Purchase Offer related to one of the three railroad parcels in question. Negotiations are continuing that in all likelihood will lead to an agreed purchase agreement on the remaining two parcels the City of Galena is seeking from the Railroads.
4. Counsel, Michael J. Barron, Jr., on behalf of the Chicago, Central & Pacific Railroad Company, Canadian National, has recommended that this matter be continued so as to allow the parties to solidify and come to final agreement on the pending matters.
5. Counsel, Michael L. Sazdanoff, on behalf of the Burlington Northern and Santa Fe Railway Company has recommended that this matter be continued so as to allow the parties to solidify and come to final agreement on the pending matters.

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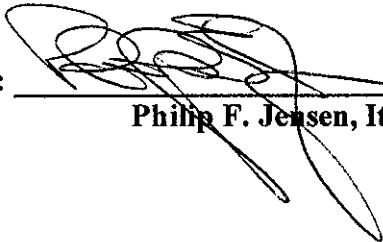
No. T02-0064

6. Counsel, Philip F. Jensen, on behalf of the City of Galena also recommends that this matter be continued so as to allow the parties to solidify and come to final agreement on the pending matters.
7. All parties are requesting that this matter be set for hearing sometime after March 22, 2003.

WHEREFORE, Petitioner, CITY OF GALENA, and Respondents, CHICAGO, CENTRAL & PACIFIC RAILROAD COMPANY and THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY, respectfully request that this matter be continued until sometime after March 22, 2003.

**CITY OF GALENA, Jo Daviess County
a municipal corporation, Petitioner**

BY: _____


Philip F. Jensen, Its Attorney

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses disclosed on the pleadings on January 15, 2003.

By: ☒ U.S. Mail ☒ FAX
☐ Hand Delivered ☐ Overnight Courier
☐ Certified Mail ☐ Other:

Signature Karen Wienen

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NOTICE OF FILING

TO: See attached Service List (all via Facsimile & U.S. Mail)

PLEASE TAKE NOTICE that we have on this 15th day of January, 2003, mailed for filing with the Illinois Commerce Commission, a Joint Motion for Continuance in the above-referenced matter, a copy of which is hereby served upon you.

**CITY OF GALENA, Jo Daviess County,
Illinois, Petitioner**

BY: 

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